



CITY OF MORGAN HILL
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

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PLANNING COMMISSION

TUESDAY, SEPTEMBER 14, 2004

CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA

COMMISSIONERS

CHAIR CHARLES D. WESTON
VICE-CHAIR RALPH LYLE
COMMISSIONER H. GENO ACEVEDO
COMMISSIONER ROBERT J. BENICH
COMMISSIONER ROBERT ENGLES
COMMISSIONER ROBERT L. ESCOBAR
COMMISSIONER JOSEPH H. MUELLER

REGULAR MEETING - 7:00 P.M.

*** A G E N D A ***

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes.*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

MINUTES: August 31, 2004

OLD BUSINESS:

1. **ZONING AMENDMENT, ZA-04-02: COCHRANE-ASSISTED LIVING CENTER:** A request to approve development standards and design guidelines for the De Paul hospital site located on the south side of Cochrane Rd. between Mission View and St. Louise Dr. (APN's 728-031-005, 006, 012 & 013)

Recommendation: Open Public Hearing/Adopt Resolution No. 04-89, with recommendation to forward request to the City Council for approval.

NEW BUSINESS:

2. **ZONING AMENDMENT, ZAA-03-13: CITY OF MORGAN HILL-ATTACHED HOUSING ZONING TEXT AMENDMENT:** Amending Ordinance 1641 New Series, extending the term for allowing for modified setback dwellings in residential projects due to construction liability insurance issues surrounding ownership attached housing.

Recommendation: Open Public Hearing/Adopt Resolution No. 04-85, with recommendation to forward requests to the City Council for approval.

3. **USE PERMIT AMENDMENT, UPA-95-05: VINEYARD-AT&T WIRELESS:** A request to amend a conditional use permit to allow the installation of six panel antennas on an existing monopole and to install five equipment cabinets. The site is located at 16170 Vineyard Boulevard in the Light Industrial (ML) zoning district. (APN 817-05-050)

Recommendation: Open Public Hearing/Adopt Resolution No. 04-86, approving request.

4. **USE PERMIT, UP-04-09: JOLEEN-METRO PCS:** A request for approval of a conditional use permit to allow the installation of a 50-ft tall, 19-in. diameter telecommunications pole and accessory equipment structure on the Morgan Hill Plastics site. Morgan Hill Plastics is located at the southwest corner of E. Dunne Avenue and Joleen Way, at 16885 Joleen Way. (APN 817-11-049)

Recommendation: Open Public Hearing/Adopt Resolution No. 04-88, approving request.

5. **DEVELOPMENT AGREEMENT, DA-04-03: DEWITT-LATALA:** A request to approve a development agreement for a four-unit project located on 1.45 acre site located on west side of DeWitt Avenue approximately 500 feet south of Oak Park Drive. The zoning for the site is R1-12,000 RPD. (APN 773-08-012)

Recommendation: Open Public Hearing/Adopt Resolution No. 04-87, with recommendation to forward requests to the City Council for approval.

OTHER BUSINESS:

6. **POLICY DISCUSSION REGARDING AMENDED RPD'S AND RDOS SCORING:**
A request for Planning Commission discussion of a policy regarding the increase in the number of units within on-going projects and an acknowledgement of an increase in the number of units within the Alicante and Mission Ranch projects. Also requested is clarification of how to resolve the housing mitigation fee fractions which will be carried forward from Measure P applications and new Measure C applications.

Recommendation: Discussion and direction.

TENTATIVE UPCOMING AGENDA ITEMS FOR THE SEPTEMBER 28, 2004 MEETING:

None at this time.

CITY COUNCIL REPORTS

ADJOURNMENTS

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE
AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

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If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

NOTICE

NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.